

EXHIBIT E

Brian J. Levy

From: O'Driscoll, Erin E. <EODriscoll@morganlewis.com>
Sent: Wednesday, September 17, 2014 6:38 PM
To: Brian J. Levy; Moll, Stefanie R.
Cc: Terrence Robinson
Subject: RE: Ellis v. ECMFG

Categories: Copied to LegalWorks

Thank you for sending. We will review and get back to you.

Erin E. O'Driscoll
Morgan, Lewis & Bockius LLP
1000 Louisiana Street, Suite 4000 | Houston, TX 77002
Direct: +1.713.890.5169 | Main: 713.890.5000 | Fax: 713.890.5001
eodriscoll@morganlewis.com | www.morganlewis.com
Assistant: Valerie A. Williams | 713.890.5412 | vwilliams@morganlewis.com

From: Brian J. Levy [mailto:Brian.Levy@kennardlaw.com]
Sent: Wednesday, September 17, 2014 5:52 PM
To: O'Driscoll, Erin E.; Moll, Stefanie R.
Cc: Terrence Robinson
Subject: RE: Ellis v. ECMFG

Erin,

It was nice speaking with you this morning. Please find Ms. Ellis' EEOC Intake Questionnaire and Rebuttal, both of which specifically provide the factual basis for her failure to accommodate claim, attached for your convenience. As you are aware, a complaint to the EEOC is not limited by its express words, but is "limited only by the scope of the EEOC investigation that could reasonably be expected to grow out of the initial charges of discrimination." *Fellows v. Universal Rests., Inc.*, 701 F.2d 447, 450 (5th Cir.1983). Here, Ms. Ellis' failure to accommodate claim was clearly within the scope of the EEOC's investigation. Accordingly, please advise as to whether your client will withdraw its motion to dismiss.

Best Regards,

Brian J. Levy | Attorney at Law
Main: 713.742.0900 | Fax: 713.742.0951
Brian.Levy@kennardlaw.com



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From: O'Driscoll, Erin E. [<mailto:EODriscoll@morganlewis.com>]

Sent: Wednesday, September 17, 2014 7:54 AM

To: Moll, Stefanie R.; Brian J. Levy

Cc: Terrence Robinson

Subject: RE: Ellis v. ECMFG

Brian,

I am in the office today, let me know if you want to talk today or if you would rather talk to Stef tomorrow.

Thanks.

Erin E. O'Driscoll

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From: Moll, Stefanie R.

Sent: Tuesday, September 16, 2014 4:54 PM

To: Brian J. Levy

Cc: O'Driscoll, Erin E.; Terrence Robinson

Subject: RE: Ellis v. ECMFG

Was in a deposition today and have another one tomorrow. Your best bet right now is to see if Erin can assist. Otherwise, I will be more responsive by Thursday.

Stefanie Moll

Morgan, Lewis & Bockius LLP

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From: Brian J. Levy [<mailto:Brian.Levy@kennardlaw.com>]

Sent: Tuesday, September 16, 2014 3:45 PM

To: Moll, Stefanie R.

Cc: O'Driscoll, Erin E.; Terrence Robinson

Subject: Ellis v. ECMFG

Stefanie,

Please let me know if you have a few minutes, today or tomorrow, to discuss the above referenced matter. I look forward to speaking with you.

Best Regards,

Brian J. Levy | Attorney at Law

Main: 713.742.0900 | Fax: 713.742.0951

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